

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

LULAC, *et al.*,

*Plaintiffs,*

v.

GREG ABBOTT, in his official capacity as Governor of Texas, *et al.*,

*Defendants.*

ROY CHARLES BROOKS, *et al.*,

*Plaintiffs,*

v.

GREG ABBOTT, in his official capacity as Governor of Texas, *et al.*,

*Defendants.*

Case No.: 3:21-CV-00259-DCG-JES-JVB  
[Lead Case]

Case No.1-21-CV-00991-DCG-JES-JVB  
[Consolidated Case]

**BROOKS PLAINTIFFS' DESIGNATION OF EXPERTS PURSUANT TO  
FEDERAL RULE OF CIVIL PROCEDURE 26(a)(2)(A)**

Pursuant to the Scheduling Order, ECF No. 96, the Brooks Plaintiffs designate the following expert witnesses for the hearing on their preliminary injunction motion.

**I.  
Retained Expert Witnesses**

1. Matt Barreto, Ph.D.  
University of California, Los Angeles  
3250 Public Affairs Building  
Los Angeles, CA 90065  
barretom@ucla.edu  
909-489-2955

*Dr. Barreto will testify regarding his report listed as Exhibit 44 of Plaintiffs' Exhibit List*

2. Jeronimo Cortina, Ph.D.  
The University of Houston  
3551 Cullen Boulevard, Room 447  
Houston, TX 77204-3011  
jcortina@central.uh.edu  
713-743-3894

*Dr. Cortina will testify regarding his report listed as Exhibit 45 of Plaintiffs' Exhibit List*

**II.**  
**Non-Retained Expert Witnesses**

The Brooks Plaintiffs hereby designate and state that they intend to call for the purpose of fact and/or opinion testimony those persons listed in the witness disclosures of each party, as appropriate. Plaintiffs make this designation without conceding the qualifications, relevancy, reliability or admissibility of such witness' opinions.

**III.**  
**Additional Designation**

Plaintiffs hereby cross designate and state that Plaintiffs may call any expert witness identified or designated by any party or any employee or representative of any party, subject to any objections that Plaintiffs may make concerning the designation or qualifications of those witnesses.

Plaintiffs reserve the right to elicit by way of cross examination, opinion testimony from experts or representatives or other witnesses who may be qualified to render expert testimony designated and/or called by other parties to the suit.

Plaintiffs reserve the right to elicit by way or direction/cross examination, opinion testimony from fact witnesses who may be qualified to render testimony, but are not retained or designated experts at this time and who have expertise in certain areas regarding the facts of this

case. Such non-retained expert witnesses may be employees of the State of Texas but they have not been employed for the purpose of providing expert testimony.

Plaintiffs reserve the right to elicit by way of direct/cross examination, opinion testimony for experts designated and/or called by other parties to the suit.

Plaintiffs reserve the right to supplement this designation as necessary and to solicit opinion testimony from such persons as appropriate during both discovery and trial.

Plaintiff designates and reserves the right to call any expert designated by Defendants or called by Defendants at hearing or trial.

January 7, 2022

Respectfully submitted,

Chad W. Dunn (Tex. Bar No. 24036507)  
Brazil & Dunn  
4407 Bee Caves Road  
Building 1, Ste. 111  
Austin, TX 78746  
(512) 717-9822  
[chad@brazilanddunn.com](mailto:chad@brazilanddunn.com)

/s/ Mark P. Gaber  
Mark P. Gaber\*  
Mark P. Gaber PLLC  
P.O. Box 34481  
Washington, DC 20043  
(715) 482-4066  
[mark@gaber.com](mailto:mark@gaber.com)

Jesse Gaines\* (Tex. Bar. No. 07570800)  
P.O. Box 50093  
Fort Worth, TX 76105  
817-714-9988  
[gainesjesse@ymail.com](mailto:gainesjesse@ymail.com)

\*Admitted *pro hac vice*

*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I certify that all counsel of record were served a copy of the foregoing this 7th day of January, 2022, via the Court's CM/ECF system.

*/s/ Mark P. Gaber*  
Mark P. Gaber